P.R. No. 2049/06
Presented by Shri S.K. Thomas
dated 13/4/06

(1) (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION. NO. /98/ OF 2006

SINGLE BENCH

BETWEEN

M.L.Sonwani S/o B.L.Sonwani , aged about 44 years ,occupation District Education Officer (presently suspended) posted at Rajnandgaon,resident of Street3-C Pragati Nagar , Risali Bhilai, District Durg (CG).

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PETITIONER

AND

1. The State of Chhattisgarh, Through the Secretary Department of School Education , Mantralay, D.K.S. Bhawan, Raipur (CG)

2. Director , Directorate of Public Instructions, Chhattisgarh, Pension Bada, Raipur, Tahsil and District Raipur (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA

XI-HC-22

(8) (38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1981/ सन् 2006

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

25-4-2006

Mr. S.K. Thomas, counsel for the petitioner.

Mr. Deepali Pandey, Panel Lawyer for the State/respondents.

Heard both the counsel.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned legality and propriety of the order dated 1-4-2006 (Annexure P-4) passed by respondent No.1, whereby the petitioner has been placed under suspension on the ground of misconduct for not filing reply in W.P.No.4411/2004 (Prem Lal Yadav vs. State of Chhattisgarh and others) in which he was appointed as Officer-in-Charge of the case.

Learned counsel for the petitioner submits that charge sheet has already been served on the petitioner. He further submits that the petitioner came to the Law Officers' Office for three times, but reply was not drafted by the Law Officer, therefore, it was not his fault.

The petitioner can raise all these points in his reply to the charge sheet. It is not for this Court to go into details of the case. On filing of such reply, the Enquiry Officer shall consider the reply and submit its report before the appropriate authority for final decision. In case the reply is not found satisfactory, the Enquiry Officer to proceed with the enquiry expeditiously, complete the same and submit its report as early as possible, but not later than six months from today.

With the observations and directions aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.1511/2006 and I.A.No.3930/2006 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Soma

[पीछे दाखय